

Article - Criminal Procedure

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§11–107.

(a) In Part II of this subtitle the following words have the meanings indicated.

(b) “Charged” means to be the subject of an indictment, an information, or a petition alleging a delinquent act.

(c) “Health officer” has the meaning stated in § 1–101 of the Health – General Article.

(d) “HIV” means any human immunodeficiency virus that causes Acquired Immune Deficiency Syndrome (AIDS).

(e) (1) “Prohibited exposure” means a crime or delinquent act that may have caused or resulted in exposure to HIV or hepatitis C.

(2) “Prohibited exposure” includes:

(i) contact that occurs on penetration, however slight, between the penis and the vulva or anus; and

(ii) contact between the mouth and the penis, vulva, or anus.

(f) (1) “Victim” means the victim of a prohibited exposure.

(2) “Victim” includes:

(i) a law enforcement officer who is exposed to HIV or hepatitis C while acting in the performance of duty;

(ii) a paid or volunteer firefighter, an emergency medical technician, or rescue squad member who is exposed to HIV or hepatitis C while acting in the performance of duty;

(iii) a forensic scientist, working under the direction of a law enforcement agency, who is exposed to HIV or hepatitis C while acting in the performance of duty; and

(iv) an individual who is licensed, certified, or otherwise authorized to provide health care under the Health Occupations Article who is exposed to HIV or hepatitis C while working under the direction of a law enforcement agency or while performing a sexual assault medical evidence collection examination.

(g) “Victim’s representative” means:

(1) the parent of a victim who is a minor;

(2) the legal guardian of a victim; or

(3) the person authorized to give consent for the victim under § 5–605 of the Health – General Article.

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